IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

NOTICE OF MOTION NO.3410 OF 2004
IN
APPEAL NO.253 OF 2004
IN
CONTEMPT PETITION NO.90 OF 1998
IN
NOTICE OF MOTION NO.734 OF 1998
IN
M.J. SUIT NO. 49 OF 1998

Ahmed Raza Kazim Raza Moulvi ... Appellant
vs.
Batul Ahmed Raza Kazim Raza Moulvi ... Respondent

Mr.A.R.Shaikh for the applicant.

Mr.A.J.Shobhawat for the respondent.

CORAM : R. M. LODHA &
J.P. DEVADHAR,JJ.

DATED : 18th July 2005

P.C.

Heard.

2. As per order dated 16th April 1999 an amount of Rs.8,60,000/- is due and payable by the present plaintiff to the respondent by way of maintenance. The appellant has been held to be guilty of civil contempt for disobedience of the order dated 16th April 1999 and has been punished to undergo Simple Imprisonment for a term of 90 days vide order dated 5th December 2003. The appeal challenging the

order dated 5th December 2003 has been admitted.

3. Having considered the entire facts and circumstances of the case, we are satisfied that subject to appellant depositing a sum of Rs.1 lac with the Prothonotary & Senior Master of this Court within four weeks from today, the order of Simple Imprisonment for a term of 90 days passed by the learned Single Judge on 5th December 2003 in contempt Petition No.90/1999 shall remain stayed.

4. On deposit of the amount of Rs.1 lac by the appellant, the respondent is permitted to withdraw the said amount.

5. Notice of motion stands disposed of.

(R.M. LODHA,J.)

(J.P. DEVADHAR,J.)